

IN THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A recording method for recording information data stream on a dual layer recordable disk having a first layer and a second layer, the method comprising a step an act of performing an Optimum Power Control (OPC) procedure for determining an actual optimum writing power, said Optimum Power Control procedure being performed in OPC-areas on the disk, characterized in that the Optimum Power Control procedure is performed in disk including an OPC-area variably located on each of the layers of the dual layer disk positioned on the second layer located relatively close to a radius where the data stream switches from the first layer to the second layer.

2. (Previously Presented) A recording method as claimed in

claim 1, wherein the location of at least one of the OPC-areas on the layers of the dual layer disk depends on the amount of information to be recorded on the disk.

3. (Previously Presented) A recording method as claimed in claim 2, wherein at least one of the OPC-areas is located in the Middle Zone of the at least one of the layers of the dual layer disk.

4. (Previously Presented) A recording method as claimed in claim 1, comprising a further step of performing a further Optimum Power Control (OPC) procedure, said further Optimum Power Control procedure being performed in a further OPC-area located at a fixed position on at least one of the layers of the dual layer disk and reserved for use by the further Optimum Power Control procedure.

5. (Currently Amended) A recording method as claimed in claim 4, wherein the further Optimum Power Control procedure is performed in a first fixed OPC-area located on ~~a—the~~ first layer ( $L_0$ ) of the ~~dual layer disk~~ and in a second fixed OPC-area located on ~~a—the~~

second layer (L1) of the dual layer disk.

6. (Previously Presented) A recording device for recording information on a dual layer recordable disk adopted for using the method according to claim 1.

Claims 7-20 (Canceled)